

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA**

KEITH REED, ELIZABETH SCHENKEL,
EMILY WINES, MARK GARAN, and
AUGUST ULLUM, individually and on behalf of
others similarly situated,

Plaintiffs,

v.

ALECTO HEALTHCARE SERVICES LLC, and
ALECTO HEALTHCARE SERVICES
WHEELING, LLC d/b/a OHIO VALLEY
MEDICAL GROUP and d/b/a OVMC
PHYSICIANS,

Defendants.

Case No. 5:19-cv-00263

Judge John Preston Bailey

CLASS ACTION

PLAINTIFFS' STATUS REPORT

NOW COME the undersigned Class Counsel, pursuant to the Court's request, and submit the following Status Report:

1. On November 28, 2022, this Court entered judgment in favor of the Plaintiff Class.
[ECF Doc. # 230.]
2. Over thirty days passed after the Judgment Order was entered and Defendants did not file a Notice of Appeal.
3. After entry of the Judgment Order, the Parties engaged in discussions regarding satisfaction of the Judgment Order. Those discussions ultimately broke down and Class Counsel began working to execute the Judgment Order.
4. In the spring 2023, Class Counsel engaged, at their own expense, counsel in California in an effort to collect the Judgment Order. Counsel certified this Court's Judgment Order in the U.S. District Court for the Central District of California on or around April 24, 2023.

5. On June 16, 2023, Alecto Healthcare Services, LLC filed a voluntary petition for bankruptcy pursuant to Title 11, Subchapter V of the U.S. Bankruptcy Code in the U.S. Bankruptcy Court for the District of Delaware, No. 23-10787 (JKS).

6. Class Counsel then engaged bankruptcy counsel licensed in Delaware – again at their own considerable expense – to represent the Reed Class in enforcement of the Judgment Order in the bankruptcy proceedings. Counsel for the Class (known in the bankruptcy proceedings as the Reed Judgment Creditors) submitted a claim and began actively litigating in the bankruptcy in an effort to vigorously enforce the Judgment Order.

7. The Reed Judgment Creditors objected to the case being designated under Subchapter V of Chapter 11 of the Bankruptcy Code and objected to Confirmation of the Plan of Reorganization. On April 4, 2024, the Bankruptcy Court overruled the Reed Judgment Creditors' objections and entered an Order confirming the Debtor's Plan of Reorganization.

8. The Reed Judgment Creditors, by counsel, noticed their appeal of the Confirmation Order to the U.S. District Court for the District of Delaware, No. 1:24-cv-00494 (GBW), on April 19, 2024.

9. Currently, Class Counsel will not have an estimate of the amount that will be distributed to the Reed Judgment Creditors until after all the claims filed in Alecto's bankruptcy and the Reed Judgment Creditors' appeal are resolved.

10. Once Class Counsel know the timing and amount of a distribution to the Reed Judgment Creditors, if any, they intend to file a Motion for Approval with this Court.

Respectfully submitted,

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Dated: May 22, 2024

/s/ Bren J. Pomponio

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CERTIFICATE OF SERVICE

I, Bren J. Pomponio, certify that on May 22, 2024, I electronically filed “**PLAINTIFS’
STATUS REOPORT**” with the Clerk of the Court using the CM/ECF system, which will send
electronic notice to all counsel of record as follows:

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